



Federal Communications Commission  
Washington, D.C. 20554

DA 07-2200

May 25, 2007

Glenn Holterhaus  
Sky Television, LLC  
920 Corporate Lane  
Chesapeake, VA 23310

Re: File No. SES-LIC-20070511-00688

Dear Mr. Holterhaus:

On May 11, 2007, Sky Television, LLC (Sky Television) filed the above-captioned application for authority to operate a Temporary-Fixed Ku-Band Transmit/Receive Earth Station. For reasons discussed below, we dismiss the application as defective, without prejudice to refile.<sup>1</sup>

Section 25.112 of the Commission's rules, 47 C.F.R. § 25.112, requires the Commission to return, as unacceptable for filing, any earth station application that is not substantially complete, that contains internal inconsistencies, or that does not substantially comply with the Commission's rules. Sky Television's application does not comply with the Commission's rules, which renders it unacceptable and subject to dismissal. The deficiencies are as follows:

Pursuant to Section 25.130(a) of the Commission's rules, 47 C.F.R. § 25.130(a), applications for transmitting earth stations must be filed electronically through the International Bureau Filing system using Form 312, including Schedule B. Sky Television did not submit its application electronically.

In addition, Question 28 of Form 312 indicates that a radiation hazard study must accompany all applications as an exhibit for new transmitting facilities such as the one proposed.<sup>2</sup> However, Sky Television's application did not include this required exhibit.

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<sup>1</sup> If Sky Television refiles an application in which the deficiencies identified in this letter have been corrected but otherwise identical to the one dismissed, it need not pay an application fee. *See* 47 C.F.R. § 1.1109(d).

<sup>2</sup> *See* 47 C.F.R. § 1.1307(b).

Consequently, we dismiss Sky Television's application without prejudice to refile. In preparing any application to be refiled, Sky Television may wish to refer to the International Bureau Filing System (IBFS) website at [www.fcc.gov/ibfs](http://www.fcc.gov/ibfs). If you need any technical assistance with IBFS, please contact the IBFS help desk at 202-418-2222.

Sincerely,

Scott A. Kotler  
Chief, Systems Analysis Branch  
Satellite Division  
International Bureau